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| <p style="text-align: center;">CM/ECF</p> <p style="text-align: center;">External User's Guide</p> <p>U.S. Bankruptcy Court, Southern District of Florida</p> | <p>Chapter II</p> <p style="text-align: center;">Case Opening</p> |
| | <p>Section 1.1</p> <p style="text-align: center;">Petition - Case Opening</p> |

I. File Petition (and related documents).

STEP 1 Select **Bankruptcy** from the main menu.

STEP 2 The **Bankruptcy Events** screen will display. Click **Open Voluntary BK Case**.

- ◆ The date filed will default to a current date.
- ◆ Type in the desired chapter number or select the chapter by using the drop down list.
- ◆ Indicate whether the petition is being filed as an individual or as a joint petition. The system will default to “n” for an individual debtor and must be changed to “y” if there is a joint debtor.
- ◆ At the Deficiencies field, accept the default “n” for ALL cases. If applicable, the clerk's office will electronically issue a deficiency notice(s) (see IMPORTANT INFORMATION at the end of the procedure). Click **Next**.

STEP 3 **Search for a debtor** - Each debtor and joint debtor's name must be searched in the court's database even if page two of the petition indicates no prior case.

- ◆ Search by entering a social security number, tax identification number, last and first name, or a company name. Potential name matches may or may not appear.

***NOTE** - All parties are matched to the same database, including debtors, joint debtors, plaintiffs, defendants, and aka's of party names (some will appear without an address, redacted social security number, or a tax identification number).*

- ◆ Click any name and address record to reveal the last four digits of the social security number in a pop-up window.
- ◆ Click **Select Name from List** only if the debtor information exactly matches ALL petition data. Otherwise, click **Create New Party**.

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|--|--|
| CM/ECF External User's Guide U.S. Bankruptcy Court, Southern District of Florida | Chapter II Case Opening |
| | Section 1.1 Petition - Case Opening |

Helpful Search Hints:

- ▶ *Name searches are NOT case sensitive, and wild cards like " * " are not needed.*
- ▶ *Include correct punctuation, e.g., "O'Brien", "Fisher & Smith Corp." or "555-66-7777."*
- ▶ *Partial name entries will yield a greater match probability; e.g., searching "McD" will include the names "McDonald" and "McDaniels" and also businesses such as "McDewey Contractors, Inc." Names such as "Mc Davis" will not be included due to the space between the "c" and "D."*
- ▶ *To view a potential match, review the name and address or click on the item to view it in a pop-up window.*

STEP 4 The **Debtor Information** screen will display. If Create New Party was selected, type in the debtor's information. If Select Name from List was selected, most data fields will be filled in.

NOTE - You are creating a mailing label so the information must be typed as it should appear on an envelope.

- ◆ A Social Security Number/Individual Tax Identification Number (SSN/ITIN) **or** Corporate Tax Identification/Employer Identification Number (Tax ID/EIN) is required.
- ◆ Click **Alias** to add up to five aliases and fill in the fields. Then, click **Add Aliases** to return to the **Party Information** screen. When completed, click **Submit**.
- ◆ Click **Corporate parent/affiliate** if a Corporate Ownership Statement is being filed as a separate event.
- ◆ Click **Review** to review the entries.

Click **Submit** when all data is entered.

| | |
|--|--|
| CM/ECF External User's Guide U.S. Bankruptcy Court, Southern District of Florida | Chapter II Case Opening |
| | Section 1.1 Petition - Case Opening |

Key Style Guide standards are listed below to illustrate data entry standards:

- ▶ *Enter name fields as they appear on the petition. Do not abbreviate unless the name appears on the petition this way. For example; "ABC Corporation" should not be entered as "ABC Corp." unless the petition uses the abbreviated name. Use correct punctuation.*
- ▶ *Enter Generation as applicable; e.g., Jr., Sr., III, etc.*
- ▶ *Enter Title as applicable; e.g., MD, PhD, etc. Do not use Dr., Mr., Mrs. or Miss.*
- ▶ *The Office field may be used to indicate the office name of a business debtor (this field is used infrequently).*
- ▶ *Three (3) address lines are available. Enter the debtor's mailing address, which may be different from the debtor's street address on line 1.*
- ▶ *The County is the county of the debtor's street address, not the mailing address. HINT - Type the first letter of the county and press the key repeatedly for a faster search.*
- ▶ *There is no need to enter the country unless the country of the debtor's residence is not the United States.*
- ▶ *The Party Text field may be used to add additional descriptive nature to a business debtor's name. For example, the debtor's name may appear "Hotel Credit Insurers" and the Party Text field may be, "a division of United Insurance Corporation".*

FOR CASES WITH A JOINT DEBTOR:

- ◆ The **Search for a joint debtor** screen will now display only if filing a joint case. Follow the instructions in STEP 3. After searching a name, a **"Copy previous party's address"** box will be checked to carry over the address of the debtor. Uncheck this box if the joint debtor's address is different. Click **Next**.

STEP 5 The **Open New Bankruptcy Case** screen will display the divisional venue. Click **Next**.

| | |
|--|--|
| CM/ECF External User's Guide U.S. Bankruptcy Court, Southern District of Florida | Chapter II Case Opening |
| | Section 1.1 Petition - Case Opening |

STEP 6 **Enter statistical data** - All data must match the first page of the petition. Read the instructions listed and make any changes to the defaults by clicking/unclicking check boxes or by changing items appearing in the drop down lists.

- ◆ Regarding **Fee status**, the default is **Paid**.
 - ▶ If changing to **Installments**, ensure that an *Application to Pay Filing Fee in Installments* is immediately filed.
 - ▶ Do not use **Fee Not Paid** (this function is reserved).
 - ▶ If changing to **IFP Filing Fee Waived**, ensure that a *Motion for Waiver of Chapter 7 Filing Fee* is immediately filed.
- ◆ When all entries are completed, click **Next**.

STEP 7 The **PDF Document Selection** screen will display.

- ◆ Click **Browse** to navigate to the directory where the appropriate PDF file is located. Verify you have selected the correct document by right clicking on the highlighted filename and select **Open** to view the image. Once verified, double-click the PDF file or click **Open** to select and associate it with the docket entry.
- ◆ The **Attachments to Document** option defaults to **No**.

Accept this default unless your PDF document exceeds 5.0 mega bytes of data. If greater than 5 MB it must be broken down into smaller files. Refer to "**Unusually large pdf files**" in Chapter I, Section 7 *Attachments to Documents* for instructions on how to upload these documents.

CRITICAL ISSUE - The image **MUST** be viewed before attaching it to ensure that it is the correct document.

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STEP 8 At the following screen, read the instructions and enter the **Summary of Schedules** data. Click **Next**.

STEP 8A *If entering a Chapter 7 petition*, enter data from Schedules C, I, and J, as well as data from Official Form B22A, Statement of Monthly Income and Means Test Calculation. Click **Next** (click "OK" to bypass a warning screen if no amounts are entered; only leave blank if the forms are not being filed). On the following screen, the **Presumption of Abuse Arises** screen will appear.

- ◆ For Chapter 7 cases, the abuse summary is captured in the upper right corner of the B22A form. Accept the default of **Unknown** if this form is not being filed, or click the **Yes** or **No** radio button to match the information contained on the form. Click **Next**.

CRITICAL ISSUE - THIS INFORMATION APPEARS ON THE MEETING OF CREDITORS NOTICE THAT IS SERVED UPON ALL PARTIES IN THE CASE.

STEP 8B *If entering a Chapter 13 petition*, if applicable, enter data from the listed schedules. Click **Next**.

STEP 8C *If entering a Chapter 11 petition*, if applicable, check the box for aggregate non-contingent liquidated assets (appearing on page 1 of the petition) as well as enter data from the listed schedules. Click **Next**.

An information screen will display the Chapter 11 Plan and Disclosure Statement due dates. Click **Next**.

STEP 9 The **Fee verification** screen will display.

- ◆ Verify that the correct fee is listed. An incorrect amount displayed will be due to an incorrect chapter selection in STEP 2. If incorrect, **abort the transaction by clicking Bankruptcy in the main menu bar and return to Step 1. DO NOT USE THE BROWSER NAVIGATION KEYS.**
- ◆ If the filing fee is being paid in installments, enter the initial payment. Click **Next**.

STEP 10 An instructional screen will advise the filer to upload the creditor matrix as the next step, then to click on Judge/Trustee Assignment. If other documents are being filed, they must be completed AFTER these two steps. Click **Next**.

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|--|--|
| CM/ECF External User's Guide U.S. Bankruptcy Court, Southern District of Florida | Chapter II Case Opening |
| | Section 1.1 Petition - Case Opening |

STEP 11 The **Docket Text: Modify as Appropriate** screen will display. No entry in the white text field is required but entering additional information is optional. Click **Next**.

STEP 12 The **Docket Text: Final Text** screen will display. **This is the screen which commits the transaction.**

To abort the transaction, click Bankruptcy in the main menu bar to return to Step 1. To proceed with uploading creditors and the Judge/Trustee Assignment, click **Next**.

CRITICAL ISSUE - AFTER clicking Next, DO NOT use the browser's back button to navigate through the system. Doing so may result in an additional case number assignment and filing fee.

STEP 13 The **Summary of current charges** screen will display. Select **Pay Now** to complete this transaction OR select **Continue Filing** to file additional documents. If selecting **Continue Filing**, you will be reminded to pay all fees after each transaction. All additional fee transactions will be added to the total.

CRITICAL ISSUE - DO NOT close this pop-up window by clicking the red "x" in the upper right corner. Doing so will disable this function.

- ◆ The instructions below advise how fees will be paid for filing a new case. Click **Pay Now**.
- ◆ The **Online Payment, Step 1** screen will display. Enter the text fields. Items with a red " * " are required. When completed, click **Continue with Plastic Card Payment**.
- ◆ The **Online Payment, Step 2** screen will display. Enter a check mark in the **Authorization** box. If a **Confirmation Receipt** is requested enter a valid **email address** (recommended). Click **Submit Payment**, or click **Edit** to modify any previously entered user information.
- ◆ A **Payment Confirmation** screen will display. If desired, print a copy of the transaction receipt by clicking on the underlined hyperlink. When finished, click **Close Window**.

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|--|--|
| CM/ECF External User's Guide U.S. Bankruptcy Court, Southern District of Florida | Chapter II Case Opening |
| | Section 1.1 Petition - Case Opening |

CRITICAL ISSUE - Registered users must pay ALL filing fees prior to 3 a.m. the day following the transaction(s). Failure to pay will result in a suspension of the registered user's CM/ECF account except to pay outstanding fees. When all fees have been paid the account will revert back to an active status (to regain access of a "locked out" account, log out of the system, then log back in again).

STEP 14 Notice of Electronic Filing (frequently referred to as the NEF) - This is the verification that the case has been filed electronically and that a case number has been assigned.

- ◆ Clicking on the [Notice of Bankruptcy Case Filing](#) hypertext link near the top of the document will generate a printable verification of the new case that can be printed or saved. This link will only appear on the Notice of Electronic Filing (NEF) for new cases. A reprint is available from the main menu Query screen, however that feature incurs a webPACER charge.
- ◆ The NEF is served upon all case participants authorized to receive electronic service. Click on the [hypertext](#) links to view a docket or pdf image. Doing so will prompt the user for their webPACER login code.

IMPORTANT INFORMATION

Deficient Petitions: Many documents that complete the filing of a new case require their own docket entry. If documents are eligible for filing at a later date, the clerk's office will provide a filing deadline on a deficiency notice. The attorney will receive this notice by electronic service and the debtor(s) will receive it in paper through the mail. The deficiency must be cured by the deadline on the notice or the case will be dismissed without further order of the court.

The clerk's office may also enter an event on the docket requiring the attorney to refile any document. This includes PDF images that are missing, incomplete, filed in an incorrect case, or otherwise not filed correctly. All registered users in the case will be contacted via the Notice of Electronic Filing (NEF). Refiled documents are not backdated. Failure to file documents correctly may result in dismissal of the case.

Reminder - Additional Filing Information: If the filer seeks a temporary exclusion from the means test under the National Guard and Reservist Debt Relief Act of 2008, in addition to filing the B22A form, docket the paperless entry found under the **Other** category titled, **Statement of Debtors Temporary Exclusion from Means Test** after all other case opening events have been entered.